

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DANIEL KLEEBERG, LISA STEIN, and
AUDREY HAYS,

Plaintiffs,

v.

LESTER EBER; ALEXBAY, LLC f/k/a LESTER
EBER, LLC; ESTATE OF ELLIOTT W.
GUMAER, JR.; and WENDY EBER,

Defendants,

and

EBER BROS. & CO., INC.; EBER BROS. WINE
AND LIQUOR CORP.; EBER BROS. WINE &
LIQUOR METRO, INC.; EBER-
CONNECTICUT, LLC; EBER-RHODE
ISLAND, LLC; EBER BROS. ACQUISITION
CORP.; EBER-METRO, LLC; SLOCUM &
SONS OF MAINE, INC.; and CANANDAIGUA
NATIONAL BANK & TRUST COMPANY,

Nominal Defendants.

Civil Action No. 16-CV-9517(LAK)

**NOTICE OF MOTION TO FOR
PARTIAL RECONSIDERATION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum, Plaintiffs, Daniel Kleeberg, Lisa Stein, and Audrey Hays, move this Court for an order reconsidering part of its August 10, 2020 Opinion and Order on the Parties' Motions for Partial Summary Judgment.

Dated: September 18, 2020

/s Brian C. Brook

Brian C. Brook (BB 1980)

BROOK & ASSOCIATES, PLLC

100 Church Street, 8th Floor

New York, New York 10007

Telephone: (212) 257-2334

Brian@brook-law.com

*Attorneys for Plaintiffs Daniel Kleeberg, Lisa Stein,
and Audrey Hays*